

Last revised 8/1/15

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY**

In Re:  
Susan Zajac

Case No.: 17-15223  
Judge: MBK  
Chapter: 13

Debtor(s)

**Chapter 13 Plan and Motions**

- |  |  |  |
|--|--|--|
| <input checked="" type="checkbox"/> Original | <input type="checkbox"/> Modified/Notice Required    | <input checked="" type="checkbox"/> Discharge Sought |
| <input type="checkbox"/> Motions Included    | <input type="checkbox"/> Modified/No Notice Required | <input type="checkbox"/> No Discharge Sought         |

Date: 7/5/17

THE DEBTOR HAS FILED FOR RELIEF UNDER  
CHAPTER 13 OF THE BANKRUPTCY CODE

**YOUR RIGHTS WILL BE AFFECTED**

You should have received from the court a separate *Notice of the Hearing on Confirmation of Plan*, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the Notice. **This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the Notice.**

**YOU SHOULD FILE A PROOF OF CLAIM BY THE DEADLINE STATED  
IN THE NOTICE TO RECEIVE DISTRIBUTIONS UNDER ANY PLAN  
THAT MAY BE CONFIRMED, EVEN IF THE PLAN REFERS TO YOUR CLAIM**

**Part 1: Payment and Length of Plan**

a. The debtor shall pay \$ 1764.00 per monthly to the Chapter 13 Trustee, starting on 8/1/17 for approximately 56 months.

b. The debtor shall make plan payments to the Trustee from the following sources:

- ☒ Future earnings
- ☐ Other sources of funding (describe source, amount and date when funds are available):

c. Use of real property to satisfy plan obligations:

- ☐ Sale of real property

Description:

Proposed date for completion: \_\_\_\_\_

- ☐ Refinance of real property:

Description:

Proposed date for completion: \_\_\_\_\_

- ☐ Loan modification with respect to mortgage encumbering property:

Description:

Proposed date for completion: \_\_\_\_\_

- d. ☐ The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.

- e. ☐ Other information that may be important relating to the payment and length of plan:

**Part 2: Adequate Protection**

a. Adequate protection payments will be made in the amount of \$ \_\_\_\_\_ to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to \_\_\_\_\_ (creditor).

b. Adequate protection payments will be made in the amount of \$ \_\_\_\_\_ to be paid directly by the debtor(s) outside the Plan, pre-confirmation to: \_\_\_\_\_ (creditor).

**Part 3: Priority Claims (Including Administrative Expenses)**

All allowed priority claims will be paid in full unless the creditor agrees otherwise:

Creditor	Type of Priority	Amount to be Paid
Trustee	Administrative Fees	\$10,712.00
Reinheimer & Reinheimer	Administrative Fees	\$ 1,700.00
IRS	2013-2016 Taxes	\$27,075.69
Reinheimer & Reinheimer	Fee Application	\$ 1,445.00

**Part 4: Secured Claims**

**a. Curing Default and Maintaining Payments**

The Debtor shall pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)

**b. Modification**

1.) The debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

**NOTE: A modification under this Section ALSO REQUIRES the appropriate motion to be filed under Section 7 of the Plan.**

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Annual Interest Rate	Total Amount to be Paid

2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

**c. Surrender**

Upon confirmation, the stay is terminated as to surrendered collateral. The Debtor surrenders the following collateral:

Creditor	Collateral to be Surrendered	Value of Surrendered Collateral	Remaining Unsecured Debt

**d. Secured Claims Unaffected by the Plan**

- DiTech Financial, LLC (1st mtg)

The following secured claims are unaffected by the Plan:

-Santander Bank (2nd mtg)

**e. Secured Claims to be Paid in Full Through the Plan:**

Creditor	Collateral	Total Amount to be Paid Through the Plan

**Part 5: Unsecured Claims**

**a. Not separately classified** allowed non-priority unsecured claims shall be paid:

☐ Not less than \$ \_\_\_\_\_ to be distributed *pro rata*

☒ Not less than \_\_\_\_\_ 100% percent

☐ *Pro Rata* distribution from any remaining funds

**b. Separately classified unsecured** claims shall be treated as follows:

Creditor	Basis For Separate Classification	Treatment	Amount to be Paid

**Part 6: Executory Contracts and Unexpired Leases**

All executory contracts and unexpired leases are rejected, except the following, which are assumed:

Creditor	Nature of Contract or Lease	Treatment by Debtor
Lexus Financial Services Chase Auto Finance	Auto Lease for 2016 Lexus IS Auto Lease for 2016 Mazda	Assume Reject

**Part 7: Motions**

**NOTE: All plans containing motions must be served on all potentially affected creditors, together with local form, *Notice of Chapter 13 Plan Transmittal*, within the time and in the manner set forth in D.N.J. LBR 3015-1. A *Certification of Service* must be filed with the Clerk of Court when the plan and transmittal notice are served.**

**a. Motion to Avoid Liens Under 11. U.S.C. Section 522(f).**

The Debtor moves to avoid the following liens that impair exemptions:

Creditor	Nature of Collateral	Type of Lien	Amount of Lien	Value of Collateral	Amount of Claimed Exemption	Sum of All Other Liens Against the Property	Amount of Lien to be Avoided

**b. Motion to Avoid Liens and Reclassify Claim From Secured to Completely Unsecured.**

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Amount of Lien to be Reclassified

**c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured.**

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Amount to be Deemed Secured	Amount to be Reclassified as Unsecured

**Part 8: Other Plan Provisions**

**a. Vesting of Property of the Estate**

- ☒ Upon confirmation  
☐ Upon discharge

**b. Payment Notices**

Creditors and Lessors provided for in Parts 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

**c. Order of Distribution**

The Trustee shall pay allowed claims in the following order:

- 1) Trustee commissions
- 2) Reinheimer & Reinheimer (Priority)
- 3) IRS (Priority)
- 4) General Unsecured Creditors (Unsecured)

**d. Post-Petition Claims**

The Trustee ☐ is, ☒ is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

**Part 9: Modification**

If this Plan modifies a Plan previously filed in this case, complete the information below.

Date of Plan being Modified: 03/17/2017.

<p>Explain below <b>why</b> the plan is being modified: To include IRS arrears and to recalculate plan payment amount and length of plan.</p>	<p>Explain below <b>how</b> the plan is being modified: To include IRS arrears in Part 3 and recalculate plan payment amount and length of plan. Also, adjusted trustee commissions and removed taxes being paid outside plan within Part 5b.</p>
<p>Are Schedules I and J being filed simultaneously with this Modified Plan? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	

**Part 10: Sign Here**

The Debtor(s) and the attorney for the Debtor (if any) must sign this Plan.

Date: 07/5/2017

/s/ Kurt E. Reinheimer, Esq.

Attorney for the Debtor

I certify under penalty of perjury that the above is true.

Date: 07/5/2017

/s/ Susan Zajac

Debtor

Date: \_\_\_\_\_

\_\_\_\_\_  
Joint Debtor

**Certificate of Notice Page 8 of 9**  
 United States Bankruptcy Court  
 District of New Jersey

In re:  
 Susan Zajac  
 Debtor

Case No. 17-15223-MBK  
 Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0312-3

User: admin  
 Form ID: pdf901

Page 1 of 2  
 Total Noticed: 23

Date Rcvd: Jul 06, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jul 08, 2017.

db Susan Zajac, 52 Roosevelt St, Freehold, NJ 07728-7751  
 cr +Santander Bank NA, c/o Loren L. Speziale, Esq., 33 S. 7th Street,  
 Allentown, PA 18101-2436  
 516707144 Assistant Attorney General, 555 4th St NW Rm 6126, Washington, DC 20001-2733  
 516707146 Citi Cards, PO Box 9001037, Louisville, KY 40290-1037  
 516707150 Lexus Financial Services, PO Box 4102, Carol Stream, IL 60197-4102  
 516707151 Macys Stars Reward, Attn: Bankruptcy Processing, PO Box 8053, Mason, OH 45040-8053  
 516707152 Marriott Rewards, PO Box 1423, Charlotte, NC 28201-1423  
 516707153 Nicole Zajac, 78 Mermaid Dr, Manahawkin, NJ 08050-1853  
 516707154 Richard Zajac, 52 Roosevelt St, Freehold, NJ 07728-7751  
 516707155 Santander Bank, PO Box 961245, Fort Worth, TX 76161-0244  
 516781402 +Santander Bank, N.A., c/o Loren Speziale, 33 S. Seventh Street, Allentown, PA 18101-2436  
 516707156 Sears, PO Box 6286, Sioux Falls, SD 57117-6286  
 516921130 US Attorney's Office, 970 Broad St Rm 700, Newark, NJ 07102-2534

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
 smg E-mail/Text: usan.j.njbankr@usdoj.gov Jul 06 2017 22:58:13 U.S. Attorney, 970 Broad St.,  
 Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534

smg +E-mail/Text: ustpregion03.ne.ecf@usdoj.gov Jul 06 2017 22:58:09 United States Trustee,  
 Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100,  
 Newark, NJ 07102-5235  
 516707145 E-mail/Text: bk.notifications@jpmchase.com Jul 06 2017 22:58:00 Chase Auto Finance,  
 PO Box 901076, Fort Worth, TX 76101-2076  
 516722236 E-mail/Text: cio.bncmail@irs.gov Jul 06 2017 22:57:40 Dept. of the Treasury,  
 Internal Revenue Service, P.O. Box 7346, Philadelphia, PA 19101-7346  
 516790789 E-mail/Text: bankruptcy.bnc@ditech.com Jul 06 2017 22:57:55  
 Ditech Financial LLC fka Green Tree Servicing LLC, P.O. Box 6154,  
 Rapid City, South Dakota 57709-6154  
 516707147 E-mail/Text: bankruptcy.bnc@ditech.com Jul 06 2017 22:57:55 Ditech Financial, LLC,  
 PO Box 6154, Rapid City, SD 57709-6154  
 516905010 E-mail/PDF: resurgentbknofications@resurgent.com Jul 06 2017 22:54:56  
 LVNV Funding, LLC its successors and assigns as, assignee of Citibank, N.A.,  
 Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587  
 516783451 +E-mail/Text: n.miller@santander.us Jul 06 2017 22:59:02 Santander Bank, N.A.,  
 601 Penn Street, 10-6438-FB7, Reading, PA 19601-3544  
 516707157 E-mail/Text: usan.j.njbankr@usdoj.gov Jul 06 2017 22:58:13 U.S. Attorney's Office,  
 970 Broad St Rm 700, Newark, NJ 07102-2534  
 516866022 +E-mail/PDF: EBN\_AIS@AMERICANINFOSOURCE.COM Jul 06 2017 23:03:13 Verizon,  
 by American InfoSource LP as agent, 4515 N Santa Fe Ave, Oklahoma City, OK 73118-7901  
 TOTAL: 10

\*\*\*\*\* BYPASSED RECIPIENTS (undeliverable, \* duplicate) \*\*\*\*\*

516921131\* Assistant Attorney General, 555 4th St NW Rm 6126, Washington, DC 20001-2733  
 516921129\* ++INTERNAL REVENUE SERVICE, CENTRALIZED INSOLVENCY OPERATIONS, PO BOX 7346,  
 PHILADELPHIA PA 19101-7346  
 (address filed with court: IRS, 955 S Springfield Ave, Springfield, NJ 07081-3570)  
 516707149\* ++INTERNAL REVENUE SERVICE, CENTRALIZED INSOLVENCY OPERATIONS, PO BOX 7346,  
 PHILADELPHIA PA 19101-7346  
 (address filed with court: IRS, PO Box 21126, Philadelphia, PA 19114-0326)  
 516921128\* ++INTERNAL REVENUE SERVICE, CENTRALIZED INSOLVENCY OPERATIONS, PO BOX 7346,  
 PHILADELPHIA PA 19101-7346  
 (address filed with court: IRS, PO Box 21126, Philadelphia, PA 19114-0326)  
 516707148\* ++INTERNAL REVENUE SERVICE, CENTRALIZED INSOLVENCY OPERATIONS, PO BOX 7346,  
 PHILADELPHIA PA 19101-7346  
 (address filed with court: Internal Revenue Service, 955 S Springfield Ave,  
 Springfield, NJ 07081-3570)

TOTALS: 0, \* 5, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
 USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address  
 pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).



District/off: 0312-3

User: admin  
Form ID: pdf901

Page 2 of 2  
Total Noticed: 23

Date Rcvd: Jul 06, 2017

\*\*\*\*\* BYPASSED RECIPIENTS (continued) \*\*\*\*\*

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Jul 08, 2017

Signature: /s/Joseph Speetjens

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## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on July 5, 2017 at the address(es) listed below:

Albert Russo docs@russotrustee.com  
Denise E. Carlon on behalf of Creditor Ditech Financial LLC dcarlon@kmlawgroup.com,  
bkgroup@kmlawgroup.com  
Kurt E. Reinheimer on behalf of Debtor Susan Zajac kerrein66@comcast.net  
Loren L. Speziale on behalf of Creditor Santander Bank NA lspeziale@grossmcginley.com,  
jkacsur@grossmcginley.com;epellegrino@grossmcginley.com  
U.S. Trustee. USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 5